G. R. S. [X-5]

Previous references.

1891-92
~~192~~ .
(L. R.)

File No. 210-91

Serial Nos. 1-3

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-3

Part B for December 1892

SUBJECT.

Restoration of a Bagayat-land in Giriyapa-garhalli, Krishnarajapet-Taluk in the Mysore District.

To Puttanna Sastri, Kammanhadi Village.

A.S. No. 16/209 dated 10-12-1892

Sl. no. 57

Declining to reopen a matter decided by the Deputy Commr so far back as 1888 against which order the petitioner failed to appeal within the time allowed by law.

WD 2233—GPB—20,000—14-6-20

Appeal No 5322-3

Appellant — Puttanna
Sastri residing
in Kannambadi
village, Krishna
Rajpet Taluq.

Facts of the case:-

On 1st June 1887 the Puttan
-na Sastry residing in
the village of Kannambadi
petitioned the amildar
that his bagayet land
had been overgrown with
date impeding the culti-
vation, & that when he
had applied previous to
the survey for permissi
to cut down the said date
he was given an endor
-sement that the matter
would be considered after
the survey settlement
and prayed for permissi
for cutting the trees.

5-6-87

The amildar thereupon
the above petition of the
Sist-Dy Collector, reported
that the said land viz
No. 49 measuring 5 A. 15
G assessed at Rs 21-0-0

contained

Contained 555 acres 1 rood
including the Caballing
& Case stated under
Sec 9 Act 1884. the Land
should be reserved to
Govt. as the sick remitted
Deed be filed.

The Surveyor for Area 9.6.87
Lismore to show D.L.
Dy. Comm. for order.

In reply to Dy. Comm. 25.6.87
enquiries letter was Contin
Reduction made in the Area
Check upon the Caballing when
the Land was given out for
Cultivation, whether the
Area is a Scrub making it
feasible to those be portion
separately & give a separate
Rent & whether he
has encroached upon
Govt. Land or more Land had
been fenced up during the
Survey

The Dy. Com. Lismore returned 30.6.87
the matter D the Surveyor

The Surveyor reported 20.1.88
Contradicting the Statement
Statement that the Land
was a Reserve one portion of which
given out for Cultivation
Could not be traced, that
no Original Boundaries
Land was surveyed, that
the Land has Magic Number

83, 84, 85, Nat. of Rice
83 & 84 were Kadeem & 85
added later in the year
Lukia, that Dr. Mathi
account showed this
that the land had been
lying waste for 20 years,
that even on the boundaries
of this land date trees
had impenetrably fo-
-rest & that it was im-
-possible to photograph the
lands into a separate
number.

31-1-88 The Asst. Dir. of Fisheries trans-
-mitted the above report
to the Director.

1-3-88 The Director mentioned
enquired whether the land
was included in the list
of date groves prepared
by the Fisheries Inspector
Chitambara Iyer

9-3-88 The Asst. Dir. of Fisheries replied
the matter to the Assistant
15-4-88 who reported that the
the Fisheries Inspector
had not given the list
to the Taluq & submitted
a petition from the petition
requiring Rupees Compensa-
-tion as they were not given
land for cutting the date
trees.

Re

The Asst. Revision Officer 25-4-88
referred the matter back to
Revision of the Khetwar
Patwari; who in reply, stated 30.4.88
that he had included the
land in the list of date
Grower, that the pleb
had planted areca
nut plants here there
on the land, that the land
was in the midst of date
Jungle, that it appeared
that the date trees existed
at the time of its grant
for cultivation, that
the Puttadars could continue
to enjoy the produce
from the date trees as he had
been doing.

The Asst. Commr. 5.5.88
Limitted the above
to the Settlement. The Supdt. 11.7.88
that the land should be
assessed at Rs. 1. per
Acre, and a remark made
in the Khetwar Patrik
that it should not be
given out for cultivation.

The Asst-Commr. com- 19.7-88
-municated the above
order to the Amildar

The

2/

30.7.88 The Amildar Conveyed
amended the Petn
and reported that a
Kandayam of Rs. 13.13.1
was due on his land
for Cowjeth, that the
refused to pay the amount
until the issue of
his mere Patt he
dare not & that he had
also petitioned that
measures should not
be taken for the recovery
of the land.

16.8.88. The Asst. Collr. reported
that a report was made
for the Kandayam on a
land for the time he held
it.

" — 12 — 88 Puttanna Sastry
& Venkatachalam
Sastry appealed the
order Commr confirming
Mady had purchased
the land & incurred an
enormous expenditure
& complaining that the
assessment was
unjust.

24 — 12 — 88. The petition & enclosures
forwarded & Collr of Chingleput &
Amildar's report
appealed against.

15.12.89. The petitioners petitioned
the Asst. Collr. Chingleput
asking for the sale deed &

Copy

of the Land Encroachment Act for the restoration of the land.

The Land Officer 26-1-92
for Nadiad affirmed
the same declined dated 13-2-92
here.

An appeal was thereupon
made to the Collector
who also on a perusal
of the case declined
Jurisdiction ——— 25-12-91.

The appellant thereupon
appeals hereto

J.B.B.
5/12/92.

P.R. [illegible]

Memo

The Appeal Petition was accompanied by 3 papers, viz,—

1. Instr. d 18.3.89 issued by the Asst. Collr informing Petr that the Sub. Divl. Officer's orders in the matter complained of had been carried out.

2. Instr: d 25-12-91 issued by the Dy. Comr informing Petr that the Dy Comr: could not interfere with the orders of his predecessor passed on 11-7-88.

3. Copy of a sale deed d/ 16.3.66.

As used to be done ordinarily in such cases, the Date of the Appeal Petn — 14-4-92 & the Date of the last order of the Dy Comr - 25-12-91 were taken into account & the question whether the Petr should be called for or not considered with due regard to the following circumstances.

1. The Appellant is

the Resident of Kaaawaa in the Koolau Appeal Circuit.

2. The date of dispatch of the Sheriff's last mail & that of its receipt by the Appellant were not known.

3. The period between the date of the last mail & that of the Appeal Papers is 3 months & 20 days.

4. The final mail was issued during the Christmas Holidays.

5. The Dispute is concerning immovable property. Respts garden removed on account of date trees.

A margin of 20 days was therefore allowed for the last mail to reach the Appellant by boats, and the Papers were ordered to be called for by me.

The Papers when received disclosed the following particulars—

1. In his Petn addressed

to—

The 2nd mail has also been intercepted. Communication with Govt

10/12

The Appellant on 24.12.88
the Petitioner (Appt.) commit-
ted acts of violence against
the Petitioner about the Exemption
of his land.

2. That the Appellant
did not then directly appeal
to Govt. but went on ad-
dressed the Sub-Div Officer
& the (Dy Com. or the Subject

(Vide Petn rec'd: 24.12.88
& the Dy Com - reported
being unstamped &
undecernpanied by
Panchayat's Order -
2 Petn dt 15.12.89
the Petitioner Roche,
Sub Div Officer
3 Petn dt 12.10.91
the Dy Com.)

It was doubtful whether
under the circumstances
the case could be re-opened
& it was therefore submitted
that the Appellant Com-
plaining as regards against
an order of 1988 did not
promptly appeal to this
Office.

the Rep.- there further that the Agents' Guard at the Station which has been struck out & the Register declining to interfere is also dated 25-12-91. But below the figure 25 the figure 30 is put down thus "25-12-91"; perhaps 30

to show the despatch of the Yadi. The quest: might also have been despatched about that time & might have taken 10 or 12 days to reach the Affidavit.

Later on I felt doubtful as to the limit within which a margin could safely be allowed & in a similar case I submitted a memo touching upon the points on which I entertained some doubts. I was then directed by Hon'ble P. Chantal Roy Panchayan & submit such cases individually for orders & I have been

Orig so Letterly.

2. The Rep: in this case
have called for under
this Secn. Order of
Hon'ble P. (Central Rev.
Rentals Secn of 2nd May
1892. (Herewith submitted
for reference).

- Hemant Rao
9.12.92

Final order
Judgment
states that
if the appeal
is in time
the authority
may entertain
under Secn. 6.
There must
be no doubt
whatever as to
the grey limit.
In case of doubt
the responsibility
of causing delay
& authority the
appeal rests on
Counsel not on
the authority

10/12/92

(3) That he is a person
loser by the encumbrance

The documents produced
in evidence: —

(a) Copy of the sale
deed dated 26th March 1886
for Rs 200/-

The Appellant: recalled
and sworn.

S.H.B.
5/12/92

The Appellant alleges
that the land in question
Contains —

35 Cocoanut trees
4 tamarind do
19 Mango do
2 Jack do

and other trees as well.

The order Complained
against was passed by
the Dy Coll in July 1888.

It is admitted by
the Appellant that the above
order was Communicated
to him in Sept: 1930.7.88.

He did not then appeal to Govt directly but went on addressing the Dy Com the Sub-Div officer on the subject. The present Dy Com informed him verbally on 25.12.91 that he could not interfere with the orders passed by the former Dy Coms.

The following points have not been ascertained —

(1) Whether it is on the whole profitable to Govt: to conserve the land as a toddy grove, seeing that the no of trees fit to be tapped is about 250 & the assessment fixed on the land is Rs 21/.

(2) Whether the fact of the land containing so many Ola trees was not brought to notice at the time of the last settlement.

(3). How old are the

L.R. 210-91-1

110 (R) Extract issued

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 209 dated 16th March/92 received at the Dewan's Office from Pallavara Basha residing in Kannambadi, Krishnarajapet, Pataki, praying for restoration of his Bezagat land in Gorigaranahalli which has been resumed by Govt.

is forwarded, together with its three enclosures, to the Deputy Commissioner Hassan for submission of Rec 92 with a report on the facts of the case and the points taken in the petition & the facts should be ascertained

By Order,

Draft

Chief Secretary.

BANGALORE, 189 2

1-6-92

(General Serial No. 30.)

1892. 3467
Pet 1168

P.R. 210-92

From The Deputy Commissioner Mysore District.

To The Chief Secretary to the Govt of Mysore.

Dated 24th September 92.

Despatched

Received

Enclosures No. Petition with 3 Sr., Cannarese file and a report

General No.

No. 592.

Submitting report on the petition of Puttanna Shastry & Ramanna Sadi, Krishnarajpet Talukq.

Petn Rr.

Mr Smith & Mr Cornish with previous papers

In the case of P-8425 of 1892 P-2224-92

Deputy Commissioner's Office
Mysore District

Dated Mysore 14th Sept. 1892.

No. 3172. Re Petition with its 3 encls. and connected file.

From,

The Deputy Commissioner
Mysore District

To,

The Chief Secretary to the Govt
of Mysore
Bangalore

Sir,

With reference to your official Memo No 110, dated 1st June 1892, calling for a report on the case of Puttanaik Sarkary of Kammanahally Krishnaraja Pettah Taluq, I have the honor to submit herewith the proceedings called for, and the report received from the Circle Division officer; & I beg to explain the facts of the case, and the points to be taken in the petition.

The petition, and its enclosures, received with the above memo, are herewith resubmitted.

I have the honor to be,
Sir,
Your most obed.t Servt.

Deputy Commissioner
Mysore District

Compd.
[illegible]

20-9-1892

A.S. No. 16
209

Mysore Dewan's Office,
Petition Department,
10th Dec. 1892.
16

Endorsement granted to Puttanna Sastri residing in Kamana Gudi village, Krishnarajpet Taluk, in reply to his Petition Registered No. 209 dated 9-12-92.

Petitioner is informed that the Govt decline to reopen a matter decided by the Commissioner of Sales as 1885 and against which order the Petitioner failed to appeal within the time allowed by law.

2. The enclosures herewith returned.

"By Order,"

Draft
(Councillor's) [illegible] 15/12

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.

Submitted to the Council

Appeal No. of 1892-3

P.R. 210-91

Appellant - Pettanna
Saatry, residing
in Kannamboor
village Krishna-
rajpet Taluq
Mysore District

Memo.

1887

In June 1887 one
Pettannas aatry (appel-
lant) petitioned the
amildar of Attikuppa
Taluq asking permis-
sion to cut the date trees
that had overgrown
on his land No. 49. Mea-
suring 6. 15 a-8 assessed
at Rs 21, as the said trees
impeded the cultivation
of the land.

The enquiry that
followed disclosed that
that it had been waste
for 20 years, had been
included in the list of
Toddy groves, and that
it was not practicable
to uproot the trees separ-
ately & give a number of sites
& that the date trees grant for
cultivation could not be traced. The

The Dy. Comm. Nuwara Eliya Mr. Amarakoon
directed the resumption
of the land in 1888, &
a remark in the Khetwar
Pathik. D he made that
it should not be given
out for cultivation.
and the order was communicated
D the appellant on the
30th July 1888.

The appellant appealed
D the Lieut. Gov. Mr Marsh
on 15.12.89 & he after
a perusal of the records
declined D interfere.
He thereupon appealed 12.10.91
D the Dy Comm. Mr
Rengasamy Iyengar
who also declined 25.12.91.
D interfere with the
orders previously passed.

The appellant therefore
now appeals D Court.

The appellant Counsel
contends that.

(1) He purchased the
land for Rs 200/-

(2) That he has spent
about 1000 Rs in
payment of Coolies &c.

Cocoanut & other fruit trees standing on the land, and what is the estimated annual income from them?

(4) Whether the Appellant was informed by Govt: that he would be permitted to fell the Shendi trees after the Survey settlement.

(5) When did the Survey settlement take place and what remarks have been passed in the Proof Paharis & the Faisal Patrick regarding this land

(6) Whether the Appellant is entitled to any, if so what compensation if the land is to be reserved.

6.12.92

1. Who admitted this appeal after the expiration of the prescribed period?

2. Was the order of 27 Sept. 92, calling for Govt with report passed with the Councillors' permission?

6/12/92

Memo submitted

9/12/92.

See remarks on that memo 10/12

The Govt during the progress of a matter decided by the Court of Appeal in Canada in 1888 and against which the Relt further appeal within the time allowed by law ——

10/12/92

MYSORE DEWAN'S OFFICE.
REG'D. NO. 2097
DATE

3.
A. No 16
92-93
Abstract.

22/12/92

all for

27/12/92

ਸ਼ਿਵ ਸਰਕਾਰੀ ਹਾਈ ਸਕੂਲ ਮੁਕੇਰੀਆਂ ਵਿਖੇ ਸਾਲ 1988 ਤੋਂ 1990 ਤੱਕ ਦੌਰਾਨ ਪੜ੍ਹਾਈ ਕੀਤੀ ਹੈ।

ਸਕੂਲ ਦੇ ਸਾਲਾਨਾ ਸਮਾਗਮ ਵਿੱਚ ਮੈਂ ਇੱਕ ਨਾਟਕ ਵਿੱਚ ਹਿੱਸਾ ਲਿਆ ਸੀ ਜਿਸ ਵਿੱਚ ਮੈਨੂੰ ਇੱਕ ਬੁੱਢੇ ਆਦਮੀ ਦਾ ਕਿਰਦਾਰ ਨਿਭਾਉਣਾ ਪਿਆ ਸੀ। ਮੈਂ ਉਸ ਸਮੇਂ ਸਿਰਫ਼ ਸੋਲ੍ਹਾਂ ਸਾਲ ਦਾ ਸੀ ਅਤੇ ਮੇਰੀ ਆਵਾਜ਼ ਅਜੇ ਪੂਰੀ ਤਰ੍ਹਾਂ ਭਾਰੀ ਨਹੀਂ ਹੋਈ ਸੀ, ਇਸ ਲਈ ਮੈਂ ਆਪਣੀ ਆਵਾਜ਼ ਨੂੰ ਜਾਣ-ਬੁੱਝ ਕੇ ਮੋਟਾ ਕਰਨ ਦੀ ਕੋਸ਼ਿਸ਼ ਕੀਤੀ ਸੀ।

ਇਸ ਨਾਟਕ ਵਿੱਚ ਮੇਰੇ ਨਾਲ ਕੁੱਲ ਗਿਆਰਾਂ ਵਿਦਿਆਰਥੀਆਂ ਨੇ ਹਿੱਸਾ ਲਿਆ ਸੀ। ਨਾਟਕ ਦੀ ਰਿਹਰਸਲ ਲਗਭਗ ਦੋ ਮਹੀਨੇ ਚੱਲੀ ਸੀ ਅਤੇ ਅਸੀਂ ਲਗਭਗ 1000 ਵਾਰ ਇਸ ਦਾ ਅਭਿਆਸ ਕੀਤਾ ਹੋਵੇਗਾ। ਸਾਡੇ ਅਧਿਆਪਕ ਸ੍ਰੀ ਹਰਬੰਸ ਲਾਲ ਜੀ ਨੇ ਇਸ ਨਾਟਕ ਦਾ ਨਿਰਦੇਸ਼ਨ ਕੀਤਾ ਸੀ ਅਤੇ ਉਹ ਹਰ ਰੋਜ਼ ਸਾਨੂੰ ਸਵੇਰੇ ਸੱਤ ਵਜੇ ਸਕੂਲ ਬੁਲਾ ਲੈਂਦੇ ਸਨ।

ਨਾਟਕ ਦੀ ਕਹਾਣੀ ਇੱਕ ਪਿੰਡ ਦੇ ਬਜ਼ੁਰਗ ਬਾਰੇ ਸੀ ਜੋ ਆਪਣੇ ਪੁੱਤਰਾਂ ਨੂੰ ਜ਼ਮੀਨ ਵੰਡਣ ਤੋਂ ਪਹਿਲਾਂ ਉਨ੍ਹਾਂ ਦੀ ਪਰਖ ਕਰਦਾ ਹੈ। ਮੇਰੇ ਕਿਰਦਾਰ ਦਾ ਨਾਂ ਬਾਬਾ ਹਰਨਾਮ ਸਿੰਘ ਸੀ। ਮੈਨੂੰ ਇਸ ਕਿਰਦਾਰ ਲਈ ਚਿੱਟੀ ਦਾੜ੍ਹੀ ਅਤੇ ਚਿੱਟੀ ਪੱਗ ਬੰਨ੍ਹਣੀ ਪਈ ਸੀ, ਜੋ ਮੇਰੇ ਲਈ ਬਿਲਕੁਲ ਨਵਾਂ ਤਜਰਬਾ ਸੀ।

ਸਟੇਜ ਤੇ ਪਹਿਲੀ ਵਾਰ ਜਾਣ ਤੋਂ ਪਹਿਲਾਂ ਮੈਨੂੰ ਬਹੁਤ ਘਬਰਾਹਟ ਹੋ ਰਹੀ ਸੀ। ਮੇਰੇ ਦਿਲ ਦੀ ਧੜਕਣ ਤੇਜ਼ ਹੋ ਗਈ ਸੀ ਅਤੇ ਹੱਥ ਠੰਡੇ ਪੈ ਗਏ ਸਨ। ਪਰ ਜਿਵੇਂ ਹੀ ਮੈਂ ਪਹਿਲਾ ਡਾਇਲਾਗ ਬੋਲਿਆ, ਮੇਰਾ ਸਾਰਾ ਡਰ ਦੂਰ ਹੋ ਗਿਆ ਅਤੇ ਮੈਂ ਪੂਰੇ ਆਤਮ-ਵਿਸ਼ਵਾਸ ਨਾਲ ਆਪਣਾ ਕਿਰਦਾਰ ਨਿਭਾਇਆ।

ਨਾਟਕ ਦੇ ਅੰਤ ਵਿੱਚ ਦਰਸ਼ਕਾਂ ਨੇ ਬਹੁਤ ਤਾੜੀਆਂ ਵਜਾਈਆਂ ਅਤੇ ਸਾਨੂੰ ਸਾਰਿਆਂ ਨੂੰ ਸਰਟੀਫਿਕੇਟ ਦਿੱਤੇ ਗਏ। ਮੈਨੂੰ ਵੀ ਸਰਵੋਤਮ ਅਦਾਕਾਰ ਦਾ ਸਰਟੀਫਿਕੇਟ ਮਿਲਿਆ ਸੀ, ਜੋ ਮੈਂ ਅੱਜ ਤੱਕ ਸੰਭਾਲ ਕੇ ਰੱਖਿਆ ਹੋਇਆ ਹੈ। ਇਹ ਅਨੁਭਵ ਮੇਰੀ ਜ਼ਿੰਦਗੀ ਦੇ ਸਭ ਤੋਂ ਯਾਦਗਾਰ ਪਲਾਂ ਵਿੱਚੋਂ ਇੱਕ ਹੈ।

No. 8446 plant / Pet. F. 224-92 dt 15-12-92

(4)

Copy to the Deputy Commr., Mysore Distt,
with the papers received with his No. 592 dt/24th
September/92.

By Order

Chief Secretary.

Bch

Mysore
13/12

To the same No 15-383 dt 15-3-93.
P.F. 224-92